

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Lynchburg Division**

**STEVE RUCKER, JR.,**

**Plaintiff,**

**v.**

**Civil Action No. 6:23cv00003**

**ZACHARY MILLER, et al.,**

**Defendants.**

**RULE 26(f) REPORT, JOINT DISCOVERY PLAN, AND  
STIPULATION REGARDING DISCLOSURES**

Counsel for the parties participated via telephonic conference on April 17, 2023, at 2:00 p.m. for a meeting as required by Fed. R. Civ. P. 26(f) and submit the following report of that meeting and the parties' Joint Discovery Plan and Stipulation regarding disclosures.

1. **The following counsel participated in the conference:** Mark Dennis Dix, Esquire for Plaintiff, and Jim Guynn, Esquire for Defendants.
2. **Changes in the timing, form, or requirement for disclosures under Rule 26(a):**
  - The parties' Initial Disclosures under Fed. R. Civ. P. 26(a) will be due May 5, 2023.
  - Plaintiff's Initial Expert Disclosure will be due December 8, 2023.
  - Defendants' Initial Expert Disclosure will be due January 9, 2024
3. **Subjects on which discovery may be needed, when discovery should be completed, and whether discover should be conducted in phases or be limited:**
  - The parties do not anticipate any unusual discovery process for this matter. Should any discovery issues arise, the parties will meet and confer as necessary. The parties will supplement this Discovery Plan, as necessary, as discovery in this matter continues.

**4. Issues about disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced:**

- The parties do not anticipate any issues related to the disclosure, discovery, or preservation of electronically stored information (“ESI”). The parties may request that any ESI be produced in its native format, if they choose.

**5. Issues about claims of privilege or of protection as trial-preparation materials, including—if the parties agree on a procedure to assert these claims after production—whether to ask the court to include their agreement in an order:**

- The parties do not anticipate any issues but reserve the right to seek a Rule 26(c) or other order as may be necessary.

**6. Changes to be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed:**

- The parties propose no changes in the limitations on discovery other than as otherwise outlined in this Discovery Plan.

**7. Any other orders that the court should issue under Rule 26(c) or under Rule 16(b) and (c):**

- The parties propose no orders at this time but reserve the right to seek a Rule 26(c) or other order as may be necessary. Pursuant to Rule 16(b) and (c), the parties jointly request that the Pretrial Order entered on April 6, 2023, be amended to reflect the plan set forth above, specifically with reference to Section 2 above regarding disclosures under Rule 26(a).

(endorsements on next page)

We ask for this:

STEVE RUCKER, JR.

By: Mark Dennis Dix

Mark D. Dix [VSB No. 42718]  
DIX LAW FIRM, PLLC  
Truist Place  
919 East Main Street, Suite 625  
Richmond, Virginia 23219  
Tel.: (804) 500-6290  
Fax: (804) 500-6291  
Email: [mdix@dixlawfirm.com](mailto:mdix@dixlawfirm.com)

and

T. Vaden Warren, Jr. [VSB No. 42004]  
THE WARREN FIRM  
516 Locust Avenue  
Charlottesville, Virginia 22902  
Tel.: (434) 972-9090  
Fax: (434) 972-9091  
Email: [vwarren@warren-law.com](mailto:vwarren@warren-law.com)

*Counsel for Plaintiff*

JONATHAN FARRAR  
MICHAEL JOHNSON, JR.

By: Jim H. Guynn, Jr.

Jim H. Guynn, Jr. [VSB No. 22299]  
GUYNN, WADDELL, CARROLL & LOCKABY, PC  
415 S. College Avenue  
Salem, Virginia 24153  
Tel.: (540) 387-2320  
Fax: (540) 389-2350  
Email: [JimG@guynnwaddell.com](mailto:JimG@guynnwaddell.com)

*Counsel for Defendants*